

01/07/02



J1133 U.S. PTO

1-9-02

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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JCE28 U.S. PTO

10/040497

01/07/02

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	NEX05/DC-CON2
First Inventor	GOLD ET AL.
Title	METHODS OF PRODUCING NUCLEIC ACID LIGANDS
Express Mail Label No.	EV 019561696US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 63]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 32]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☒ Assignee: GILEAD SCIENCES, INC.
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee) ☒ Associate Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Reg. Transf. Seq. Listing; Change Address

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No 09/165,616

Prior application information

Examiner ZITOMER

Group Art Unit 1655

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

25871

or

☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	ROSEMARY KELLOGG	Registration No. (Attorney/Agent)	39,726
Signature	<i>Rosemary Kellogg</i>	Date	January 7, 2002

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

1-9-02

PTO/SB/17 (10-01)

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U S Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

Complete if Known

Application Number	10/
Filing Date	January 7, 2002
First Named Inventor	Gold et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	NEX 05/DC-CON2

TOTAL AMOUNT OF PAYMENT (\$ 1,476.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 22-0277 * any deficiency

Deposit Account Name: Nexstar Pharmaceuticals, Inc.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					\$40.00

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					\$740.00

2. EXTRA CLAIM FEES

Total Claims: 40

Independent Claims: 7

Multiple Dependent: _____

Extra Claims: 20

Fee from below: 18.00

Fee Paid: 360.00

Extra Claims: 4

Fee from below: 84.00

Fee Paid: 336.00

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$ Code (\$ Code (\$ Code (\$

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim, if not paid

109 84 209 42 ** Reissue independent claims over original patent

110 18 210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 696.00

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Rosemary P. Kellogg	Registration No. (Attorney/Agent)	#39,726
Signature	Rosemary Kellogg	Telephone	303-268-0066
		Date	Jan. 7, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	GOLD <i>ET AL</i>	}	EXAMINER:
SERIAL NO.:	10/		ART UNIT:
FILED:	JANUARY 7, 2002		CONFIRMATION NO.:
FOR:	METHODS OF PRODUCING NUCLEIC ACID LIGANDS		

Assistant Commissioner for Patents
Washington, D.C. 20231

CHANGE OF CORRESPONDENCE AND FEE ADDRESS

Dear Sir:

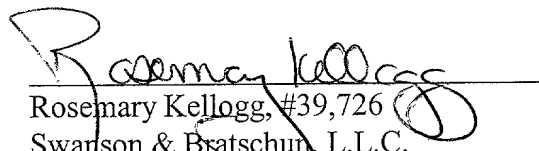
Please address all future correspondence and telephone calls related to the above-referenced case to the following address. Also, please recognize as the "Fee Address" under the provisions of 37 C.F.R. 1.363 the following address:

Swanson & Bratschun, L.L.C.	(303) 268-0066 Telephone
1745 Shea Center Drive, Suite 330	(303) 268-0065 Facsimile
Highlands Ranch, Colorado 80129	e-mail: firm@sbiplaw.com

I am the attorney of record.

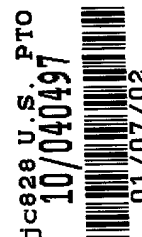
Respectfully submitted,

Date: January 7, 2002


Rosemary Kellogg, #39,726
Swanson & Bratschun, L.L.C.
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129
Telephone: (303) 268-0066
Facsimile: (303) 268-0065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	GOLD <i>ET AL</i>)	EXAMINER:
SERIAL NO.:	10/)	ART UNIT:
FILED:	JANUARY 7, 2002)	CONFIRMATION NO.:
FOR:	METHODS OF PRODUCING NUCLEIC ACID LIGANDS)	



Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST TO TRANSFER PREVIOUSLY
FILED SEQUENCE INFORMATION

Dear Sir:

The paper copy of the Sequence Listing in the instant application is identical to the computer readable copy of the Sequence Listing filed with the application in United States Patent Application Serial No. 09/165,616, filed on October 2, 1998.

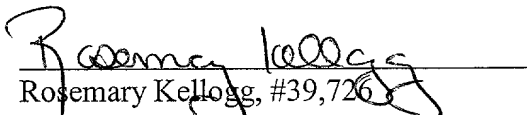
In accordance with 37 C.F.R. § 1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing is included herewith (37 C.F.R. § 1.821(c)).

I hereby state that the contents of the computer readable copy of the Sequence Listing filed in United States Patent Application Serial No. 09/165,616, filed on October 2, 1998, and the paper copy filed herewith are the same. 37 C.F.R. § 1.821(f).

The paper and disk copies of the SEQUENCE LISTING include no new matter. 37 C.F.R. § 1.821(g).

Respectfully submitted,

Date: January 7, 2002


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